

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

ABC Corporation

Plaintiff,

v.

Case No.:
1:23-cv-15628
Honorable Jeffrey I
Cummings

The Partnerships and Unincorporated Associations
Identified on Schedule A

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, January 10, 2024:

MINUTE entry before the Honorable Jeffrey I Cummings: Plaintiff has filed an amended complaint as directed and the Court finds that joinder is proper. Plaintiff's motion for ex parte motion for a temporary restraining order, including a temporary injunction, a temporary asset restraint, and expedited discovery [9], and motion for electronic service of process [13] are granted. Plaintiff's submissions establish that, were defendants to learn of these proceedings before the execution of plaintiff's requested preliminary injunctive relief, there is a significant risk that defendants could destroy relevant documentary evidence and hide or transfer assets beyond the reach of the Court. The Temporary Restraining Order being entered in due course will be placed under seal. In addition, for the purpose of the motions cited above, plaintiff's filings support proceeding on an ex parte basis at this time. Specifically, and as noted above, were defendants to be informed of this proceeding before a TRO could issue, the Court finds that it is likely that their assets and websites would be redirected, thus defeating plaintiff's interests in identifying defendants, stopping defendants' infringing conduct, and obtaining an accounting. In addition, the evidence submitted by plaintiff shows a likelihood of success on the merits (including evidence of active infringement and sales into Illinois), that the harm to plaintiff is irreparable, and that an injunction is in the public interest. An injunction serves the public interest because of the consumer confusion caused by counterfeit goods, and there is no countervailing harm to defendants from an order directing them to stop infringement. Electronic service of process does not violate any treaty and is consistent with due process because it effectively communicates the pendency of this action to defendants. Expedited discovery is warranted to identify defendants and to implement the asset freeze. By 1/12/24, plaintiff shall submit the proposed TRO to the Court's proposed order inbox (Proposed_Order_Cummings@ilnd.uscourts.gov) for entry. Status hearing is set for 2/16/24 at 9:00 a.m. (to track the case only, no appearance is required). Mailed notice(cc,)

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